

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: H3/17/15 H3/27/15

# A Bill

HOUSE BILL 1878

5 By: Representative Hammer  
6 By: Senator Hickey  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING DRIVER'S LICENSE  
10 REINSTATEMENT FEES; AND FOR OTHER PURPOSES.  
11

## Subtitle

14 AN ACT TO AMEND THE LAW CONCERNING  
15 DRIVER'S LICENSE REINSTATEMENT FEES.  
16

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 27-16-508(a), concerning fees for  
21 reinstatement of driving privileges, is amended to read as follows:

22 (a)(1) The Office of Driver Services shall collect a reinstatement fee  
23 of one hundred dollars (\$100), to be multiplied by the number of  
24 administrative orders to suspend, revoke, or cancel a driver's license, other  
25 than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-  
26 310, or § 27-16-808 and other than orders entered under § 27-16-909.

27 (2)(A) If a person's driving privileges are suspended or revoked  
28 solely as a result of outstanding driver's license reinstatement fees imposed  
29 under the laws of this state, the office shall collect only one (1)  
30 reinstatement fee of one hundred dollars (\$100) to cover all administrative  
31 orders to suspend, revoke, or cancel a driver's license for a person ordered  
32 to pay a reinstatement fee under § 27-16-808(c)(1)(A) or subdivision (a)(1)  
33 of this section that were in existence on or before the effective date of  
34 this act if a district court or circuit court verifies to the office that the  
35 person has:

36 (i) Paid all other court costs, fines, and fees



1 associated with the criminal offense that led to his or her driver's license  
 2 suspension; and

3 (ii) Successfully completed one (1) of the  
 4 following:

5 (a) A court-ordered diversion program;

6 (b) A drug court program;

7 (c) A diversion program for veterans;

8 (d) A preadjudication probation; or

9 (e) Any other court-ordered program designed  
 10 to rehabilitate the person.

11 (B) Subdivision (a)(2)(A) of this section does not apply  
 12 to:

13 (i) A reinstatement fee ordered under:

14 (a) Section 5-65-119;

15 (b) Section 5-65-304; or

16 (c) Section 5-65-310; or

17 (ii) A fee ordered to reinstate commercial driving  
 18 privileges.

19 (3) A district court or circuit court that operates one (1) of  
 20 the court programs listed under subdivision (a)(2)(A)(ii) of this section  
 21 shall notify the Department of Finance and Administration when a person  
 22 eligible to have his or her reinstatement fees reduced under this subsection  
 23 completes the court program.

24  
 25  
 26 SECTION 2. Arkansas Code § 27-16-808(c), concerning fees for  
 27 reinstatement of driving privileges, is amended to read as follows:

28 (c)(1)(A) The reinstatement fee under this section shall be calculated  
 29 by multiplying one hundred dollars (\$100) by each separate occurrence of  
 30 offenses under any other provision of the law resulting in:

31 ~~(A)(i)~~ A court order directing the office to suspend  
 32 the driving privileges of the person; or

33 ~~(B)(ii)~~ The office's entering a suspension order.

34 ~~(2)(B)~~ The fee under this section is supplemental to and  
 35 in addition to any fee imposed under § 5-65-119, § 5-65-304, § 5-65-310, or §  
 36 27-16-508.

1 ~~(3)(C)~~ As used in this section, "occurrence" means each  
2 separate calendar date when an offense or offenses take place.

3 (2) If a person's driving privileges are suspended or revoked  
4 solely as a result of outstanding driver's license reinstatement fees imposed  
5 under the laws of this state, the office shall collect only one (1)  
6 reinstatement fee of one hundred dollars (\$100) to cover all administrative  
7 orders to suspend, revoke, or cancel a driver's license for a person ordered  
8 to pay a reinstatement fee under § 27-16-508(a)(1) or subdivision (c)(1) of  
9 this section that were in existence on or before the effective date of this  
10 act if a district court or circuit court verifies to the office that the  
11 person has:

12 (A) Paid all other court costs, fines, and fees associated  
13 with the criminal offense that led to his or her driver's license suspension;  
14 and

15 (B) Successfully completed one (1) of the following:  
16 (i) A court-ordered diversion program;  
17 (ii) A drug court program;  
18 (iii) A diversion program for veterans;  
19 (iv) A preadjudication probation; or  
20 (v) Any other court-ordered program designed to  
21 rehabilitate the person.

22 (3) Subdivision (c)(2) of this section does not apply to:

23 (A) A reinstatement fee ordered under:  
24 (i) Section 5-65-119;  
25 (ii) Section 5-65-304; or  
26 (iii) Section 5-65-310; or  
27 (B) A fee ordered to reinstate commercial driving  
28 privileges.

29 (4) A district court or circuit court that operates one (1) of  
30 the court programs listed under subdivision (c)(2)(B) of this section shall  
31 notify the Department of Finance and Administration when a person eligible to  
32 have his or her reinstatement fees reduced under this subsection completes  
33 the court program.

34  
35 SECTION 3. DO NOT CODIFY. EFFECTIVE DATES.

36 This act is effective on and after January 1, 2016, and until June 30,

1 2016.

2

3 *SECTION 4. DO NOT CODIFY. Report required.*

4 *(a) The Department of Finance and Administration shall prepare a*  
5 *report concerning this act that includes the following information:*

6 *(1) The number of eligible participants;*

7 *(2) The number of participants who were reinstated under this*  
8 *act; and*

9 *(3) The dollar amount paid and the dollar amount written off*  
10 *during the time the act is effective.*

11 *(b) The department shall submit the report under subsection (a) of*  
12 *this section to the Legislative Council and the Director of the Department of*  
13 *Arkansas State Police by October 1, 2016.*

14

15 */s/Hammer*

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36